Application No. 09/930,053   Atty. Docket No. 2717P039
Amendment dated May 15, 2006   Examiner Abelson, Ronald B.
Response to Office Action of February 14, 2006   TC/A.U. 2666

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent

application as amended herein. Claims 1, 6, 14, 17 and 22 have been amended. No

claims have been added or canceled. Thus, claims 1-26 are pending.

CLAIM REJECTIONS – 35 U.S.C. § 103(a) – CLAIMS 1, 14, 17 AND 22

Claims 1-9 and 14-26 were rejected as being unpatentable over Applicants

Admitted Prior Art (*AAPA*) in view of U.S. Patent No. 6,408,001 issued to Chuah, et al.

(*Chuah*) and further in view of U.S. Patent No. 6,967,937 issued to Gormley (*Gormley*).

For at least the reasons set forth below, Applicants submit that claims 1 and 14, 17 and 22

are not rendered obvious by *AAPA* and *Chuah*.

Claim 1 recites:

> determining a protocol format in which a packet is formatted based
> on one or more label values in a header of a MultiProtocol Label
> Switching (MPLS) formatted packet, wherein label values in a first range
> corresponding to a plurality of values indicate an encapsulated packet of a
> first network protocol type and label values in a second range
> corresponding to a plurality of values indicate an encapsulated packet of a
> second network protocol type, the MPLS label values to be used to switch
> the packet through a network...

Similarly, claim 6 recites:

> switching control circuitry coupled between the ingress interface
> and the egress interface, the switching control circuitry to analyze one or
> more labels in a header of a MultiProtocol Label Switching (MPLS)
> encapsulated packet received via one of the ports of the ingress interface,
> the switching control circuitry to determine an underlying protocol format
> in which the data of the MPLS encapsulated packet is formatted based on
> values stored in the one or more labels, wherein the MPLS label values are
> to be used to switch the packet through a network, the switching control
> circuitry further to select a physical link from the egress port over which
> the MPLS encapsulated packet is to be transmitted based on the one or
> more labels.

-11-

Thus, Applicants claim use of a range of label values in a MPLS header to determine whether the MPLS packet has encapsulated within it a packet of a first network protocol type or a second network protocol type where the label value is used to switch the packet through the network. Claims 14, 17 and 22 recite limitations similar to claim 1.

Applicants agree with the Office Action that *AAPA* does not disclose use of the MPLS header for information related to the type of packet encapsulated within the MPLS formatted packet. *Chuah* discloses analysis of header field values. Applicants further agree that the combination of *AAPA* and *Chuah* does not disclose label values in a second range indicate a second network protocol type.

Chuah specifically discloses a new header field that is used to identify a protocol. See col. 8, lines 1-3. The value used to identify the protocol is not a label that is used for network switching as claimed in claims 1, 6, 14, 17 and 22. Accordingly, *Chuah* falls short of the characterization provided in the Office Action. *Gormley* is cited to disclose multiple protocols. While *Gormley* does disclose multiple protocol types, the protocols are not related to MPLS. Further, protocol identifiers are not labels that may be used for network switching. Therefore, *Gormley* cannot be used to cure the deficiencies set forth above.

In addition, the Office Action does not provide any specific motivation for the combination of *Gormley* with *Chuah* and/or *AAPA*. Thus, notwithstanding the incompleteness of the combined references, the combination is improper. Therefore, Applicants request that the rejection of claims 1, 14, 17 and 22 be withdrawn.

Claims 2-5 depend from claim 1. Claims 7-9 depend from claim 6. Claims 15 and 16 depend from claim 14. Claims 18-21 depend from claim 17. Claims 23-26

-12-

depend from claim 22.. Because dependent claims include the limitations of the claims

from which they depend, Applicants submit that claims 2-5, 7-9, 15, 16, 18-21 and 23-26

are not rendered obvious by *AAPA*, *Chauh* and *Gormley* for at least the reasons set forth

above.

CLAIM REJECTIONS – 35 U.S.C. § 103(a) – CLAIMS 10-13

Claims 10-13 were rejected as being unpatentable over *AAPA*, *Chuah*, *Gromely*

and further in view of U.S. Patent No. 6,760,327 issued to Manchester, et al.

(*Manchester*). For at least the reasons set forth below, Applicants submit that claims 10-

14 are not rendered obvious by *AAPA*, *Chuah* and *Manchester*.

Claim 10 recites:

> switching control circuitry coupled to the ingress interface, the
> switching circuitry to analyze one or more labels in a header of a
> MultiProtocol Label Switching (MPLS) encapsulated packet received via
> one or the ports of the ingress interface, the switching control circuitry to
> determine an underlying network protocol format in which the data of the
> MPLS encapsulated packet is formatted based on whether values stored in
> the one or more labels correspond to a first plurality of values or a second
> plurality of values, the switching control circuitry further to select one or
> more physical links of the backplane over which the MPLS encapsulated
> packet is to be transmitted to the egress interface based on the one or more
> labels.

Thus, Applicants claim use of a range of values in a MPLS header to determine whether

the MPLS packet has encapsulated within it a packet of a first network protocol type or a

second network protocol type.

As discussed above, no combination of *AAPA*, *Chuah* and *Gromely* teaches or

suggests determining an encapsulated network packet type based on MPLS header

values. *Manchester* is not cited to cure, nor does it cure, the deficiencies of *AAPA*,

-13-

Application No. 09/930,053
Amendment dated May 15, 2006
Response to Office Action of February 14, 2006

Atty. Docket No. 2717P039
Examiner Abelson, Ronald B.
TC/A.U. 2666

Chuah and *Gromely* set forth above. Accordingly, no combination of *AAPA*, *Chuah*, *Gromely* and *Manchester* can teach or suggest the invention as claimed in claim 10.
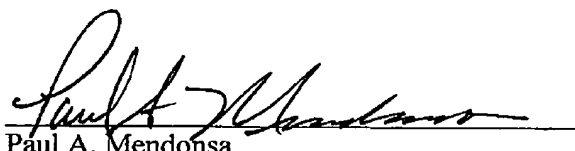
Claims 11-13 depend from claim 10. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 11-13 are not rendered obvious by *AAPA*, *Chauh*, *Gromely* and *Manchester* for at least the reasons set forth above.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-26 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Date: MAY 15, 2006

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Paul A. Mendonsa
Attorney for Applicant
Reg. No. 42,879

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(503) 439-8778

-14-